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Anguilla

Working paper prepared by the Secretariat

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I. General

1. Anguilla is a Non-Self-Governing Territory administered by the United Kingdom of Great Britain and Northern Ireland. The Territory lies 240 kilometres east of Puerto Rico, 113 kilometres north-west of Saint Kitts and Nevis and 8 kilometres north of St. Maarten/St. Martin. The Territory has a relatively flat topography, with a few rolling hills rising to the highest elevation of 213 feet, comprises a total area of 96 square kilometres and includes several offshore islets. The main island has a maximum length of 26 kilometres and a maximum width of 5 kilometres. The capital of Anguilla is The Valley, where 43 per cent of the population resides.

2. A midyear estimate for 2009 provided by the administering Power puts Anguilla's population at 15,156, with an estimated annual population growth rate of approximately 4 per cent.[1] There are several thousand Anguillians living abroad, in particular in the United Kingdom, the United States of America and the United States Virgin Islands. Of the total population, 99 per cent speaks English. Spanish or Chinese are the most common mother tongues among non-English speakers.

3. The currency of Anguilla is the Eastern Caribbean dollar (EC$), which is aligned with the United States dollar at approximately EC$ 2.70. Major trading partners are North America, mainly the United States, and the Caribbean region.

II. Constitutional, legal and political issues

4. The basis of the relationship between the United Kingdom Government and its Non-Self-Governing Territories is set out in a White Paper, entitled "Partnership for Progress and Prosperity: Britain and the Overseas Territories", published in March 1999.[2] The British Overseas Territories Act 2002 granted the right of British citizenship to "British Overseas Territory citizens".

5. Originally inhabited by the Arawaks, the Territory was colonized by British and Irish settlers in 1650. In terms of administrative and constitutional arrangements, Anguilla was periodically associated with Saint Kitts and Nevis over the years, as well as various regional structures. Following the dissolution of the Federation of the West Indies in 1962, in February 1967, Saint Kitts-Nevis-Anguilla became a State in association with the United Kingdom. Following demonstrations demanding secession from Saint Kitts and Nevis, in a referendum held in Anguilla in July the same year, the vote was 1,813 to 5 in favour of secession. Further demonstrations and protracted negotiations were followed by the intervention of British security forces in 1969 and the Anguilla Act of 1971, whereby the United Kingdom reassumed direct responsibility for the administration of the Territory, appointed a Commissioner and provided for the establishment of an Island Council.

Note: The information contained in the present working paper has been derived from published sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations.

[1] Information provided by the administering Power on 29 December 2009.

[2] "Partnership for Progress and Prosperity: Britain and the Overseas Territories", White Paper submitted to the House of Commons on 17 March 1999 by the United Kingdom Secretary of State for Foreign and Commonwealth Affairs; reproduced in A/AC.109/1999/1 and Corr.1, annex.

A separate Constitution came into effect in February 1976. In 1980, at Anguilla's request, arrangements were made by the Government of the United Kingdom for the Territory to be withdrawn formally from the Associated State of Saint Kitts-Nevis-Anguilla and become a separate dependency of the United Kingdom.

6. In 1981 further constitutional talks between the Governments of Anguilla and the United Kingdom were held. Under a new Constitution, while not providing for a full measure of internal self-government, a substantial degree of additional local responsibility would be granted to the Government of Anguilla. The Anguilla House of Assembly approved the new Constitution and the United Kingdom enabled the Anguilla (Constitution) Order to come into force on 1 April 1982.

7. According to the Anguilla Constitution Order, which was amended in 1990, the Government of Anguilla consists of a Governor, an Executive Council and a House of Assembly. The Governor, who is appointed by the United Kingdom, is responsible for defence, external affairs, internal security, including the police and prison services, international financial services and their regulation, public service appointments and the application to public servants of their terms and conditions of service. On all other matters, the Governor is required to consult with and act on the advice of the Executive Council. At the same time, the Order stipulates that the British Crown reserves power, with the advice of the Privy Council, to make laws for the peace, order and good government of Anguilla.

8. As previously reported, Alistair Harrison was appointed Governor to take office upon the retirement of Governor Andrew N. George. According to the administering Power, Governor Harrison took office in April 2009.

9. The Territory's Executive Council consists of the Chief Minister, not more than three other ministers and two ex officio members (the Attorney General and the Deputy Governor). The Governor acts as Chairman. The House of Assembly is elected for five-year terms. It comprises a Speaker, seven members elected from single-member constituencies, the same two ex officio members as in the Executive Council and two members nominated by the Governor, one of whom is appointed upon the advice of the Chief Minister and the other after consultation with the Chief Minister and the Leader of the Opposition, as appropriate.

10. According to reports in the media, general elections were held in Anguilla on 15 February 2010 and resulted in a change of government from the Anguilla United Front (AUF), an alliance of the Anguilla Democratic Party and the Anguilla National Alliance, to the Anguilla United Movement under Hubert B. Hughes, with four seats. AUF won two seats and the Anguilla Progressive Party one seat. Approximately 8,650 persons were eligible to vote. There was a high turnout of voters, with up to 80 per cent reported in some electoral districts. The next general elections are due in 2015.

11. The law of Anguilla is the common law of the United Kingdom, together with all legislation inherited from the former associated State of Saint Kitts-Nevis-Anguilla up to August 1971 and the local legislation enacted since. The law is administered by the Eastern Caribbean Supreme Court, an itinerant Court based in Saint Lucia, which comprises a Court of Appeal and a High Court of Justice, courts of summary jurisdiction and a magistrates court. A new Commercial Court was opened in October 2009 in the British Virgin Islands, which serves the Eastern Caribbean jurisdictions, including Anguilla.

12. In the context of efforts to modernize the Territory's Constitution, in early 2006 the territorial Government established a Constitutional and Electoral Reform Commission to reinvigorate the constitutional review process. In July 2006, the Commission presented to the territorial Government its report, in which it recommended changes to the current constitution, designed to provide the Territory with more internal self-governance. The Commission found that Anguillians were generally satisfied with the 1982 Constitution, which provided them with a large degree of autonomy, external (United Kingdom) forces for defence, and overseas representation by the Foreign and Commonwealth Office. At the same time, the Commission stated that there was one small group in the Territory that favoured independence. Over the years, as reflected in previous working papers, the territorial Government has considered the recommendations, consulted with members of the House of Assembly and the public, and engaged in constitutional talks with the United Kingdom.

13. As previously reported, in mid-2008, a team consisting of territorial Government officials, members of the House of Assembly and lawyers was set up to draft a new constitution using the concept of internal self-government as the basis for the exercise. According to the administering Power, in mid-2009, the new draft constitution was presented for public consultation, and discussion with the United Kingdom on it was expected to begin in 2010.

14. Meanwhile, speaking at the United Nations Caribbean regional seminar on decolonization, held in Saint Kitts and Nevis in May 2009, the representative of the Territory underlined Anguilla's desire to achieve the status of full internal self-government de facto as well as de jure, not to be overridden by the administering Power's orders-in-council or exercise of reserved powers. According to the speaker, the question of the political independence of Anguilla was only one of timing. Meanwhile, the right to opt for constitutional advancement in the form of full internal self-government as a State in association with another independent country was a right Anguillians had never relinquished. The full text of the statement can be found on the United Nations website on decolonization (www.un.org/Depts/dpi/decolonization/main.htm).

15. Further, according to reports in the media, in September 2009, the Social Development Minister joined the Chief Minister in suggesting that Anguilla should begin to look at the prospects for political independence in an effort to revisit the island's relationship with the United Kingdom, including with regard to fiscal guidelines such as the territorial Government's limits on public sector borrowing. The Minister shared with reporters his belief that the Territory's elected representatives should be taking the lead in preparing the people of Anguilla for political independence and should start educating the general public thereon.

16. On 9 December 2009, the eleventh meeting of the Overseas Territories Consultative Council was held in London. According to the administering Power, at the request of leaders of Overseas Territories, in 2009 a forum was held the day before the Consultative Council on 8 December to review the aforementioned 1999 White Paper on "Partnership for Progress and Prosperity", which established the principles that had guided the relationship between the United Kingdom and Territories since 1999. The Forum was the first stage of a consultation process on the future of that relationship. At the Consultative Council meeting, the United Kingdom and the Non-Self-Governing Territories represented, including Anguilla,

inter alia, agreed to continue their discussions on the relationship between the United Kingdom and the Overseas Territories.

III. Budget

17. In Anguilla, the fiscal year corresponds to the calendar year. According to reports in the media, in December 2009, the territorial Government did not present a budget for 2010/11 to the House of Assembly in view of the proximity of general elections to be held in February 2010.

18. Earlier in the year, as reflected in the media in October 2009, the United Kingdom agreed to permit the Government of Anguilla to borrow EC$ 20 million to cover its recurrent deficit over the next six months.

19. There is no income, corporation, value added or goods and services tax, a matter which the territorial Government began to study in 2009, in particular with regard to the impact of low taxation on the Territory's economy and public sector reserves. According to reports in the media, the territorial Government acceded to the Organization for Economic Cooperation and Development international standard in taxation, under which it had signed 11 agreements by the end of 2009.

IV. Economic conditions

A. General

20. Economic development slowed in 2009, with growth showing single digits as compared to the period from 2004 to 2007, when on average the economy grew in excess of 10 per cent annually, largely based on tourism and construction. According to further information provided by the administering Power for the present working paper, the revised gross domestic product (GDP) for 2006 was EC$ 294 million. The per capita GDP amounted to approximately EC$ 30,560.

B. Tourism

21. Luxury tourism continues to be central to Anguilla's economy, with visitor traffic via the Blowing Point seaport terminal representing about 75 per cent and via Wallblake Airport representing the remaining 25 per cent. As previously reported, the territorial Government pursues a "low volume, high value" luxury tourism strategy. The Anguilla Tourist Board and the Anguilla Hotel and Tourism Association market and promote the Territory's tourism product.

22. In 2009, Anguilla visitors' arrivals, including tourists and excursionists from visiting ships, continued to decline, according to information provided by the administering Power. At the same time, according to reports in the media, political observers said there was a growing debate over the value of "concessions", or incentives, given by the territorial Government to developers financing multi-million-dollar projects in Anguilla; the matter was coming under closer scrutiny and greater emphasis was being placed on the details of the memorandums of agreement between the Territory and developers.

C. Financial services

23. Anguilla entered the field of financial services relatively late and has a small international finance sector, specializing in insurance, mutual funds, trust and company registration, for whose regulation the administering Power is directly responsible. The industry includes four commercial banks, two of which are funded by indigenous capital, the National Bank of Anguilla and Caribbean Commercial Bank (Anguilla), and a few dozen trust companies, among others.

24. Anguilla's Financial Services Commission, established in 2004, is an independent regulatory body that focuses on licensing, supervision of licensees, monitoring of financial services in general, reviewing existing financial services legislation and making recommendations for new legislation, as well as maintaining contact with appropriate foreign and international regulatory authorities. As previously reported, the Territory has in place anti-money-laundering legislation, including the Proceeds of Criminal Conduct Act, 2000; the Money Laundering Reporting Authority Act, 2000; the Anti-Money Laundering Regulations; the Guidance Notes on the Prevention of Money Laundering; and the Criminal Justice Act. Moreover, according to the administering Power, a Proceeds of Crime Act came into force in 2009.

25. At the same time, according to an independent review of British offshore financial centres published in October 2009, commissioned by the United Kingdom Government, the territorial Government employs fewer than 10 staff to supervise licensed financial services providers and has signed 4 of a recommended 12 tax information exchange agreements with other countries that would allow the latter to obtain information about income earned by their taxpayers outside of their home jurisdiction. The report of the review contains the recommendation that responsibility for financial promotion should be removed from the Registrar of Companies, where it currently lies within the territorial Government. Moreover, the review concluded that the technical and human resources devoted to the fight against financial crime in Anguilla needed to be boosted to achieve compliance with recommendations made by the Financial Action Task Force, an intergovernmental body established to develop and promote policies to combat money-laundering and terrorist financing. Anguilla is a member of the Caribbean Financial Action Task Force and is also subject to its peer review process.

26. For his part, as reflected in media reports, the Governor has acknowledged that some of the report's recommendations are for his consideration, in the context of his constitutional responsibility for the regulation of international financial activity, while some are for the Government of Anguilla, and others for the United Kingdom Government. He expressed the hope that everyone connected with the financial sector in Anguilla would read the review carefully and reflect on it.

D. Agriculture and fisheries

27. Agricultural activity in Anguilla, traditionally involving the production of small quantities of tobacco and vegetables, as well as some cattle-raising, is limited owing to a combination of poor soil and irregular rainfall. Nevertheless, agriculture continued to play a part in the livelihood of the local population. According to media reports, in 2009 the territorial Government's Department of Agriculture

sought to chart the way forward for agriculture on the island with the help of an external expert consultant, as it was time to recognize the importance of the farmers and to assist them, especially in times of economic crisis. For his part, the Territory's Finance and Tourism Minister expressed the view that agriculture could be a major contributor to national development and urged more Anguillians to become involved in the agricultural sector.

28. The Department of Fisheries and Marine Resources, created in 1991, is mandated to manage Anguilla's fisheries resources and to safeguard the functional integrity of the critical marine habitats upon which the survival of fish species depends, including through the issuance of fishing and fish trapping licences. The Department operates within the legislative boundaries of the Fisheries Protection Act of 1986 and Regulations of 1988 (and subsequent amendments thereto) as well as the Marine Parks Act of 1982 and Regulations of 1993 (and subsequent amendments thereto). The Department's core functions include fisheries, coastal management and marine parks management. According to the administering Power, there are about 400 men directly employed in Anguilla's fishing industry. The Territory's resources include pelagic fish species such as dolphin, wahoo and tuna fish, as well as lobsters and crayfish.

E. Infrastructure

29. Anguilla continues to undertake projects throughout the island, including road works, port development, and other national infrastructure needs that fall under the responsibility of the territorial Government's Ministry of Infrastructure, Communications, Utilities, Housing, Agriculture and Fisheries.

30. The Territory has approximately 200 kilometres of road, half of which are paved. According to the administering Power, the Blowing Point Ferry Terminal and the Corito Cargo Port Facility projects continued to be at a planning stage in 2009 at the Ministry of Infrastructure, Communications, Utilities, Housing, Agriculture and Fisheries Department of Infrastructure. Master planning for the design and construction of Government office space commenced during 2008, and, according to the administering Power, construction is expected to begin in 2010.

31. According to reports in the media, the Air and Seaports Authority Act (2009), passed by the House of Assembly on 13 October 2009, enables the territorial Government to divest itself of the operation and management of commercial ports in Anguilla, and establish a semi-autonomous entity that would operate, maintain and develop ports in Anguilla. Officials of the territorial Government have indicated that the move would help to improve efficiency and accountability.

32. The Wallblake Airport situated on the outskirts of The Valley is the sole airport on the island and serves both commercial and private airplanes. According to the territorial Government, there are daily flights to and from the international airports of Antigua, St. Maarten, Puerto Rico and St. Thomas. As previously reported, in 2008, negotiations were conducted with a local company for the construction of a fixed base operator facility at Wallblake Airport designed to cater to private jets and other aircraft. According to the administering Power, the facility commenced operations in 2009. At the same time, Anguilla Air Express, an executive air service, provided operations between San Juan, Puerto Rico and Anguilla during 2009.

F. Communications and utilities

33. There is no public transport in Anguilla except taxis, and car rental is widely available. Anguilla has a modern internal telephone system with multiple external gateways, including several microwave relays to St. Maarten/St. Martin, and a fibre landing point on Tortola for international calls, with competition in mobile, landline and Internet services. According to the administering Power, plans were in place to upgrade the Territory's cable television system in 2009/10 to full digital programming, including the provision of high definition video. The territorial Government was actively pursuing the development of information and communications technology services as a public utility.

34. As previously reported, the Anguilla Electricity Company (AEC) purchased two new 3.9-megawatt generators to improve the power supply to its customers. According to the administering Power, in 2009, AEC purchased one additional 5.2-megawatt generator to keep up with energy demand. In addition, AEC was partnering with the territorial Government in a renewable energy initiative aimed at reducing the Territory's dependence on fossil fuels for power generation and transportation, and advancing local competencies in the energy sector.

V. Social conditions

A. General

35. Living standards and social indicators in Anguilla compare favourably with those of other countries in the region, with an estimated literacy rate of over 95 per cent. The life expectancy at birth for females is estimated to be approximately 83, and 78 for males for 2009. Anguilla has had a social security scheme since 1982, which is overseen by the Anguilla Social Security Board. Non-contributory Old Age Pension (Amendment) Regulations, 2010, and Benefits (Amendment) Regulations, 2010, became effective in January, increasing allowances to eligible persons in need.

36. According to the aforementioned 2009 independent review of British offshore financial centres, the Territory does not have up-to-date unemployment statistics. At the same time, according to reports in the media, the Government of Anguilla was taking steps to improve the unemployment situation on the island following a long period of inactivity in the labour market. For instance, in October 2009, the Chief Minister said in a radio broadcast that the territorial Government was aware that a number of projects had stalled, and that he anticipated a positive turnaround following news that one of Anguilla's major tourism hospitality projects was getting ready to open fully for business on the island's west coast.

37. In 2009, the Government of Anguilla negotiated the purchase of a major hotel complex to use as a hospitality institution for the development of the support of human resources for the island's tourism industry. According to reports in the media, the use of Social Security funds for that purpose had given rise to criticism among some Anguillians in the Territory.

B. Education and culture

38. The Education Department manages and oversees the education system in Anguilla. According to media reports, in 2009 education continued to be a major priority for the Government, with emphasis placed on the technical and vocational areas. For instance, the territorial Government had secured 12 acres of land in Long Path, along with the old Shell factory building, to house a technical and vocational centre, and had revitalized a Technical and Vocational Committee to move the process forward. The territorial Government called upon Anguillians to take advantage of scholarships currently available, and encouraged persons in the workplace to educate themselves and to take advantage of the courses offered by the University of the West Indies Open Campus in Anguilla.

39. Education in Anguilla is free and compulsory between the ages of 5 and 17 years. The education system ranges from the pre-primary to the tertiary level. There are 11 private preschools in Anguilla, of which 10 are subsidized by the territorial Government for children between the ages of 3 and 5 years. According to the administering Power, enrolment stands at 444. Children between the ages of 5 and 12 years attend primary school. There are eight primary schools in Anguilla: six public, one private and one private assisted. Special education services are provided at centres attached to two of the larger primary schools. Present enrolment in the primary sector is 1,613.

40. Secondary education in Anguilla is provided at two campuses of one secondary educational institution, the Albena Lake Hodge Comprehensive School. Alternative programmes are also offered at two separate locations through the Workshop Initiative for Support in Education and the Pupil Referral Unit. According to the administering Power, 961 students were enrolled at the school.

41. Furthermore, the Professional Development Unit of the Department of Education and the University of the West Indies (UWI) Distance Education Centre provide tertiary education in Anguilla, offering primary and secondary teacher training and basic skills training programmes. The UWI Centre's extension campus in Anguilla offers a range of distance education programmes to students in the Territory, based on the system used by the University of the West Indies. The Anguilla Community College was established in March 2009, through the passage of the relevant legislation in the House of Assembly in response to the Territory's increasing shortage of skilled personnel in the critically important sectors of hospitality and construction.

42. In 2009, according to reports in the media, the Ministry of Social Development began work in Anguilla towards the development of a culture policy. The initiative sought to articulate a culture-sensitive and culture-driven national development framework for the Territory. The Ministry, with approval of Executive Council, established a Culture Policy Development Committee comprising a core group of critical stakeholders and specialists to manage the process. In that connection, the Ministry urged the full participation of the general public to make the process meaningful and productive.

C. Public health

43. The Board of the Health Authority of Anguilla, installed in December 2003, has responsibility for all primary, secondary and personal health-care services. The Ministry of Social Development is charged with regulating and monitoring the public and private health sectors, including the Health Authority of Anguilla, performing policymaking, regulatory and purchasing functions in relation to health services. The territorial Government's health priorities, set out in the strategic plan for health for 2009, include the strengthening of primary and secondary health-care services, the strengthening of the Ministry of Health's regulatory function, the development of health information systems and a strong focus on chronic non-communicable diseases and mental health.[1]

44. There are three health centres in the island's three health districts, as well as one hospital, the Princess Alexandra Hospital, located in The Valley. According to information published by the administering Power, with just one small hospital and three private clinics on the island, medical facilities are relatively limited. Serious cases that require major surgery may on occasion need to be transferred to a neighbouring island.

45. As previously reported, in 2008, the territorial Government joined the Pan Caribbean Partnership against HIV and AIDS pilot programme testing HIV and AIDS in the Territory. The pilot programme is carried out by the Barbados Ministry of Health in collaboration with, among others, the Caribbean Broadcast Media Partnership on HIV/AIDS. According to the administering Power, in August 2009, Anguilla was able to draw on the funds made available through the European Union programme entitled "Strengthening the Integration of the British and Dutch Overseas Caribbean Territories in the Regional Response to HIV/AIDS through the Pan Caribbean Partnership against HIV/AIDS". In late 2009, Anguilla took steps to prepare a draft workplace policy on HIV/AIDS and other life-threatening diseases; validate rapid HIV-testing kits; train health providers in provider-initiated HIV testing and counselling; and mount a media campaign on HIV prevention.

D. Crime

46. The crime rate in Anguilla continues to be low when compared with regional and international standards, according to information provided by the administering Power. There was a significant reduction in violent crime on the island in 2009. Crimes against property continued to be a priority crime issue for the Royal Anguilla Police Force, with burglary and theft being the main offences against property encountered.

47. As of 2009, according to the administering Power, the Royal Anguilla Police Force has a fully functioning scene-of-crime unit. With the introduction of an evidence-collection vehicle and the employment of two civilian crime-scene forensic examiners, the Royal Anguilla Police Force crime-scene examination and evidence-gathering capability has been significantly enhanced.

48. During the same year, the Commissioner of Police entered into a memorandum of understanding with Anguilla's Money-Laundering Reporting Authority concerning his responsibilities in overseeing the management of the new Financial Intelligence Unit in all matters relating to the Proceeds of Crime Act legislation that

came into being in July 2009 in the Territory. Moreover, the Financial Investigation Unit joined with the Financial Intelligence Unit as a fully functional hybrid unit under the daily supervision of a fully qualified Police Inspector as head of a Financial Intelligence and Investigation Unit.

VI. Environment

49. The territorial Government's Department of Environment, Department of Fisheries and Marine Resources, and the Anguilla National Trust are principal entities dealing with environmental issues in Anguilla. During 2009, media reports indicated that the territorial Government was stepping up action to address the issue of climate change, which according to experts could impact significantly on low-lying small islands such as Anguilla. A Climate Change Coordinating Committee was formed through a collaboration of stakeholder agencies in response to the need for effective coordination of the multiagency process towards preparing Anguilla to adapt to and mitigate the potential impacts of climate change. In addition, the Department of Environment and the Tourist Board collaborated on a climate change project for Anguilla, funded by the Department for International Development of the United Kingdom Government as part of a wider Eastern Caribbean effort, to help in the elaboration of effective responses to the impact of climate change.

VII. Relations with international organizations and partners

50. Anguilla iş a member of the Eastern Caribbean Central Bank and an associate member of the Organization of Eastern Caribbean States (OECS), the Association of Caribbean States, the Economic Commission for Latin America and the Caribbean, and the Caribbean Community and the Common Market.

51. As a Non-Self-Governing Territory of the United Kingdom, Anguilla is associated with the European Union but is not a part of it.

52. As previously reported, at the Overseas Territories Consultative Council meeting held in London in 2008, the territorial Government agreed on the target date of October 2009 for the extension to the Territory of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and of the Convention on the Elimination of All Forms of Discrimination against Women, and to consider the options available to meet international obligations on sexual orientation. In 2009, according to the administering Power, the Executive Council approved the extension of the Convention on the Elimination of All Forms of Discrimination against Women in the Territory. Work on extending other conventions was ongoing.

53. As previously reported, the Government of Anguilla cooperates directly with other Caribbean Governments and participates in regional projects of various international organizations and agencies. In November 2009, Anguilla hosted the fiftieth Meeting of the OECS Authority, and joined consultations held by OECS member States on a proposed economic union, which was established on 29 December 2009 as the OECS Economic Union.

VIII. Future status of the Territory

A. Position of the territorial Government

54. Developments on constitutional reform efforts involving the future status of Anguilla are referred to in section II of the present paper.

B. Position of the administering Power

55. Information provided by the United Kingdom for inclusion in the report of the Secretary-General of 23 April 2009 entitled "Implementation of decolonization resolutions adopted since the declaration of the First and Second International Decades for the Eradication of Colonialism" (A/64/70), inter alia, states that the United Kingdom's policy towards the Overseas Territories rested on the basis that it is the people of each Territory who determine whether they wish to stay linked to the United Kingdom or not. The United Kingdom had no intention of imposing independence against the will of the people concerned. Further, the statement referred to the suggestion by some commentators that the United Kingdom should agree to allow Territories the three status options set out in United Nations General Assembly resolution 1541 (XV), for removing Territories from the United Nations list, namely integration, independence, or free association. According to the United Kingdom, its policy was not to agree to integration, and nor was there any indication that any of the Territories were seeking this. Its position on independence had already been set out. The concept of free association, as defined by the General Assembly, would mean that the Territory itself would draw up its Constitution free from the involvement of the United Kingdom, which would nonetheless retain all responsibility for the Territory, without the powers necessary to meet its responsibilities for the Territories. This was not a position the United Kingdom was willing to put itself in.

56. The United Kingdom further pointed out that General Assembly resolution 1541 (XV) was not legally binding and the United Kingdom had not voted in favour of the resolution. The United Kingdom Government indicated that it considered the existence of the Special Committee of 24 and the list of Non-Self-Governing Territories to be outdated, and remained of the view that none of its Overseas Territories should remain on the list.

57. As reflected in the record of the meeting (A/C.4/64/SR.2), in a statement made on 5 October 2009 before the Special Political and Decolonization Committee (Fourth Committee) during the sixty-fourth session of the General Assembly, the representative of the United Kingdom said, inter alia, that where the people of any of its Overseas Territories clearly and constitutionally opted for independence, the United Kingdom would help them to achieve it. Where instead a Territory wished to retain links, the United Kingdom would safeguard that Territory's future development and continued security, and would hold regular annual political consultations with it. Meanwhile, the respective territorial constitutions governed the relationship between the United Kingdom and its Overseas Territories and were regularly updated, carefully considering all proposals for constitutional change received from the Territories. A number of such new constitutions had come into force since 2006.

58. The representative of the United Kingdom stated that maintaining high standards of probity and governance was a cornerstone of British administration of the Territories. The United Kingdom Government was committed to allowing each Territory to run its own affairs responsibly as far as possible, but when developments in a Territory gave cause for concern or a Territory failed to fulfil international obligations, the United Kingdom would not hesitate to raise the matter with the territorial Government and intervene where necessary.

59. Further, the United Kingdom Government continued to encourage all its Overseas Territories to meet internationally recognized Group of Twenty standards to ensure sound financial regulation, resilient public finances, and responsible debt management.

C. Action taken by the General Assembly

60. On 10 December 2009, the General Assembly adopted, without a vote, resolutions 64/104 A and B, based on the report of the Special Committee transmitted to the General Assembly[3] and its subsequent consideration by the Special Political and Decolonization Committee (Fourth Committee) (A/64/413). Section II of resolution 64/104 B concerns Anguilla. Under that section's operative paragraphs, the General Assembly:

> "1. *Welcomes* the work of the Constitutional and Electoral Reform Commission and its report of 2006, the holding of a public forum in April 2008 to address constitutional reform issues and the subsequent agreement to seek full internal self-government, short of political independence, and the setting up of a drafting group, with the aim of making recommendations to the administering Power on proposed changes to the Constitution of the Territory, using the concept of internal self-government;
>
> 2. *Requests* the administering Power to assist the Territory in its current efforts with regard to advancing the internal constitutional review exercise, if requested;
>
> 3. *Stresses* the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee, calls upon the administering Power to facilitate such a mission, if the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;
>
> 4. *Requests* the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested."

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[3] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 23* (A/64/23).